

INTERNET
FORM NLRB-501
(2-08)UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER**DO NOT WRITE IN THIS SPACE**Case
09-CA-255209Date Filed
1/27/2020**INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Amercian Medical Response		b. Tel. No. (859) 392-2280
		c. Cell No. (859) 443-5792
		f. Fax No. (859) 392-2805
d. Address (Street, city, state, and ZIP code) 30 Kenton Lands Rd KY erlanger 41018-____	e. Employer Representative Greg Rose Operations Manager	g. e-Mail greg.rose@amr.net
		h. Number of workers employed 41
i. Type of Establishment (factory, mine, wholesaler, etc.) Healthcare	j. Identify principal product or service Non emergency Medical Transport	

k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) 3 of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

--See additional page--

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

Norma Renee Kersting Title: Field Staff Coordinator Kentucky
AFSCME Council 962

4a. Address (Street and number, city, state, and ZIP code) 4315 Preston Hwy Suite 101 KY Louisville 40213-____	4b. Tel. No. (502) 636-4074
	4c. Cell No. (502) 297-3809
	4d. Fax No.
	4e. e-Mail nkersting@afscme962.org

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

American Federation of State County and Municipal Employees

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By Norma R. Kersting Norma Renee Kersting
(signature of representative or person making charge) Title: Field Staff Coordinator Kentucky
(Print/type name and title or office, if any)

4315 Preston Hwy Suite 101
Address Louisville KY 40213-____

01/27/2020 11:58:28
(date)

Tel. No. (502) 636-4074
Office, if any, Cell No. (502) 297-3809
Fax No.
e-Mail nkersting@afscme962.org

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Basis of the Charge

8(a)(3)

Within the previous six months, the Employer discharged an employee(s) because the employee(s) joined or supported a labor organization and in order to discourage union activities and/or membership.

Name of employee discharged	Approximate date of discharge
Thomas Rackley	January 3, 2020

8(a)(3)

Within the previous six months, the Employer disciplined or retaliated against an employee(s) because the employee(s) joined or supported a labor organization and in order to discourage union activities and/or membership.

Name of employee disciplined/retaliated against	Type of discipline/retaliation	Approximate date of discipline/retaliation
Mollie Schaper	Suspension	1/24/2020

8(a)(1)

Within the previous six-months, the Employer has interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act by engaging in surveillance or creating impression of surveillance of employees' union activities.

Name of Employer's Agent/Representative who made the statement	Approximate date
Chris, Ashley	12/27/2019

Form NLRB - 501 (2-08)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD**FIRST AMENDED CHARGE AGAINST EMPLOYER****INSTRUCTIONS:**

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
09-CA-255209	08/27/20

File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

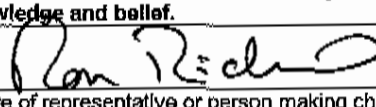
a. Name of Employer American Medical Response - Northern Kentucky		b. Tel. No. (859)392-2280
		c. Cell No. (859)443-5792
d. Address (street, city, state ZIP code) 30 Kenton Lands Rd, Erlanger, KY 41018	e. Employer Representative Greg Rose Operations Manager	f. Fax No. (859)392-2805
		g. e-Mail greg.rose@amr.net
		h. Dispute Location (City and State) Erlanger, KY
i. Type of Establishment (factory, nursing home, hotel) Healthcare	j. Principal Product or Service Medical Transport	k. Number of workers at dispute location 41

1. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

On about January 3, 2020, the Employer discharged employee Thomas Rackley because the employee joined or supported a labor organization and in order to discourage union activities and/or membership in violation of Section 8(a)(1) and (3) of the Act.

On about January 24, 2020, the Employer suspended employee Mollie Schaper because the employee engaged in protected concerted activities and because the employee joined or supported a labor organization and in order to discourage union activities and/or membership in violation of Section 8(a)(1) and (3) of the Act.

3. Full name of party filing charge (if labor organization, give full name, including local name and number) AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO (AFSCME) Council 962	
4a. Address (street and number, city, state, and ZIP code) 1424 North Pennsylvania Street, Indianapolis, IN 46202	4b. Tel. No. (317)495-8554
	4c. Cell No.
	4d. Fax No.
	4e. e-Mail richmond@afscme962.org
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)	
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.	
By: X  (signature of representative or person making charge)	Tel. No. (317)495-8554
Ron Richmond Political Director Print Name and Title	Office, if any, Cell No.
Address: 1424 North Pennsylvania Street, Indianapolis, IN 46202	Fax No. 317-624-6609
Date: X 8/27/2020	e-Mail richmond@afscme962.org

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

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Additional Information in Support of Charge

Charging Party Name : Norma Renee Kersting

Inquiry Number : 1-2659735061

Date Submitted : 01/27/2020 11:58:28

Please provide a brief description of the specific conduct involved in your charge. The information you provide may be viewed by the charged party in the event of a formal proceeding, so PLEASE DO NOT GIVE A DETAILED ACCOUNT OF YOUR CHARGE OR A LIST OF POTENTIAL WITNESSES AT THIS TIME. A Board Agent will contact you to obtain this and other detailed information after your charge is docketed. After you submit this E-Filed Charge form, you will receive a confirmation email with an Inquiry Number (Sample Inquiry Number: 1-1234567890) and a link to the E-Filing web page. You may use the link and the Inquiry number provided in the email to e-file any additional documents you wish to present in support of your charge.

Additional Information Provided:

Thomas Rackley, and Mollie Schaper were a part of a committee who were trying to organize the union through AFSCME Council 962. Around December 27th, 2019 Two supervisors were observed refusing to answer the door, and stated to Tyler Strong that they didn't want to answer the doors because they did not want union paper work served. On January 1, 2020 fliers were distributed with Mollie, and Thomas's face plus 4 other employees where on them along with quotes on why they wanted to join a union. On January 3rd, 2020 Thomas was fired. The reason stated for Thomas's termination was that he failed to complete a National registry course. It is important to note that there are several other employees who have not yet completed this course, and have had no negative repercussions related to the issue. Mollie Schaper was later suspended pending investigation with in 1 week of working with the organizing committee to get a petition signed in support of a union. The issue Mollie was suspended for was a minor issue, and the Operations Manager around 2 to 3 weeks prior told her not to worry about it. It also worth noting that several employees also described similar circumstances in which they have had no negative repercussions.

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 09-CA-255688	Date Filed 2/3/2020

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT			
a. Name of Employer American Medical Response		b. Tel. No. (859) 392-2280	
		c. Cell No. (859) 443-5792	
		f. Fax No. (859) 392-2805	
d. Address (Street, city, state, and ZIP code) 30 Kenton Lands rd KY Erlanger 41018-_____		e. Employer Representative Greg Rose Operations Manager	
		g. e-Mail greg.rose@amr.net	
		h. Number of workers employed 41	
i. Type of Establishment (factory, mine, wholesaler, etc.) Healthcare		j. Identify principal product or service Non emergency Medical Transport	
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) 3 of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) --See additional page--			
3. Full name of party filing charge (if labor organization, give full name, including local name and number) Norma Renee Kersting Title: Field Staff Coordinator Kentucky AFSCME Council 962			
4a. Address (Street and number, city, state, and ZIP code) 4315 Preston Hwy KY Louisville 40213-_____		4b. Tel. No. (502) 636-4074	
		4c. Cell No. (502) 297-3809	
		4d. Fax No.	
		4e. e-Mail nkersting@afscme962.org	
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) American Federation of State County and Municipal Employees			
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.		Tel. No. (502) 636-4074	
By Norma Kersting (signature of representative or person making charge)		Office, if any, Cell No. (502) 297-3809	
Norma Renee Kersting Title: Field Staff Coordinator Kentucky (Print/type name and title or office, if any)		Fax No.	
4315 Preston Hwy Address Louisville KY 40213-_____		e-Mail nkersting@afscme962.org	
		02/3/2020 12:18:22 (date)	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

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Basis of the Charge

8(a)(3)

Within the previous six months, the Employer disciplined or retaliated against an employee(s) because the employee(s) joined or supported a labor organization and in order to discourage union activities and/or membership.

Name of employee disciplined/retaliated against	Type of discipline/retaliation	Approximate date of discipline/retaliation
Anthony Morgan	Suspension	1/27/2020

Form NLRB - 501 (2-08)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD**FIRST AMENDED CHARGE AGAINST EMPLOYER****INSTRUCTIONS:**

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
09-CA-255688	08/27/20

File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

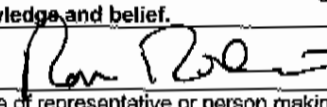
a. Name of Employer American Medical Response - Northern Kentucky		b. Tel. No. (859)392-2280
		c. Cell No. (859)443-5792
d. Address (street, city, state ZIP code) 30 Kenton Lands Rd, Erlanger, KY 41018	e. Employer Representative Greg Rose Operations Manager	f. Fax No. (859)392-2805
		g. e-Mail greg.rose@amr.net
		h. Dispute Location (City and State) Erlanger, KY
i. Type of Establishment (factory, nursing home, hotel) Healthcare	j. Principal Product or Service Medical Transport	k. Number of workers at dispute location 41

1. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

On about January 26, 2020, the Employer disciplined or retaliated against employee Anthony Morgan because the employee engaged in protected concerted activities and because the employee joined or supported a labor organization and in order to discourage such activities in violation of Section 8(a)(1) and (3) of the Act.

On about February 6, 2020, the Employer disciplined or retaliated against Anthon Morgan because the employee engaged in protected concerted activities and because the employee joined or supported a labor organization and in order to discourage such activities in violation of Section 8(a)(1) and (3) of the Act.

3. Full name of party filing charge (If labor organization, give full name, including local name and number) AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO (AFSCME), COUNCIL 962	
4a. Address (street and number, city, state, and ZIP code) 1424 North Pennsylvania Street, Indianapolis, IN 46202	4b. Tel. No. (317)495-8554
	4c. Cell No.
	4d. Fax No.
	4e. e-Mail rrichmond@afscme962.org
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)	
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.	
By: X  (signature of representative or person making charge)	Tel. No. (317)495-8554
	Office, if any, Cell No.
Address: 1424 North Pennsylvania Street, Indianapolis, IN 46202	Fax No. 317-624-6609
Date: X 8/27/2020	e-Mail rrichmond@afscme962.org

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PRIVACY ACT STATEMENT

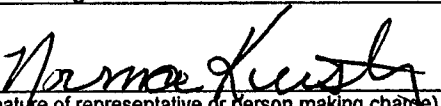
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UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

INSTRUCTIONS:

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
09-CA-256405	FEBRUARY 14, 2020

File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer American Medical Response	b. Tel. No. (859)392-2280
	c. Cell No. (859)443-5792
d. Address (street, city, state ZIP code) 30 Kenton Lands Rd, Erlanger, KY 41018	e. Employer Representative Greg Rose Operations Manager
	f. Fax No. (859)392-2805
	g. e-Mail greg.rose@amr.net
	h. Dispute Location (City and State) Erlanger, KY
i. Type of Establishment (factory, nursing home, hotel) Medical transportation center	j. Principal Product or Service medical transportation
	k. Number of workers at dispute location 41
1. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1), (3), and (4) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.	
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) Since about January 16, 2020, the Employer has interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act by installing a camera at its facility and using that camera for surveillance of employees' union activities, and/or to create an impression of surveillance of employees' union activities. On about January 23, 2020, the Employer, by Operations Manager Greg Rose, has interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act by threatening employees that if they engage in protected concerted activity, the Employer would no longer post employee bonus information. On about February 7, 2020, the Employer, by Operations Manager Greg Rose, interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act by threatening an employee that the employee was on a short leash, and by soliciting grievances. On about February 7, 2020 the Employer discriminated against employee Mollie Schaper by issuing her two disciplinary actions (both final written warnings) in order to discourage union activities or membership and because she was named as a discriminatee in NLRB Charge 09-CA-255209.	
3. Full name of party filing charge (if labor organization, give full name, including local name and number) American Federation of State, County and Municipal Employees, AFL-CIO (AFSCME), Council 962	
4a. Address (street and number, city, state, and ZIP code) 4315 Preston Hwy Suite 101, Louisville, KY 40213	4b. Tel. No. (502)636-4074
	4c. Cell No. (502)297-3809
	4d. Fax No.
	4e. e-Mail nkersting@afscme962.org
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) American Federation of State County and Municipal Employees	
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.	Tel. No. (502)636-4074
By:  (signature of representative or person making charge)	Office, if any, Cell No. (502)297-3809
Norma Renee Kersting Field Staff Coordinator Kentucky Print Name and Title	Fax No.
Address: 4315 Preston Hwy Suite 101, Louisville, KY 40213	e-Mail nkersting@afscme962.org
Date: 2-13-2020	

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PRIVACY ACT STATEMENT

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1-2670023581

Form NLRB - 501 (2-08)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD**FIRST AMENDED CHARGE AGAINST EMPLOYER****INSTRUCTIONS:****DO NOT WRITE IN THIS SPACE**

Case

Date Filed

09-CA-256405

08/27/20

File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer American Medical Response - Northern Kentucky		b. Tel. No. (859)392-2280
		c. Cell No. (859)443-5792
d. Address (street, city, state ZIP code) 30 Kenton Lands Rd, Erlanger, KY 41018	e. Employer Representative Greg Rose Operations Manager	f. Fax No. (859)392-2805
		g. e-Mail greg.rose@amr.net
		h. Dispute Location (City and State) Erlanger, KY
i. Type of Establishment (factory, nursing home, hotel) Healthcare	j. Principal Product or Service Medical Transport	k. Number of workers at dispute location 41

1. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1), (3) and (4) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Since about January 16, 2020, the Employer has interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act by installing a camera at its facility and using that camera for surveillance of employees' union activities, and/or to create an impression of surveillance of employees' union activities.

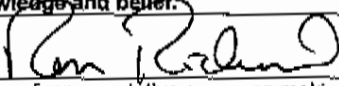
On about January 23, 2020, the Employer, by Operations Manager Greg Rose, has interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act by instructing employees to cease engaging in protected concerted activity.

On about February 7, 2020, the Employer, by Operations Manager Greg Rose, interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act by threatening an employee that the employee was on a short leash.

On about February 7, 2020, the Employer discriminated against employee Mollie Schaper by issuing her two disciplinary actions (both final written warnings) in retaliation for her protected concerted activity, in order to discourage union activities or membership, and because she was named as a discriminatee in NLRB Charge 09-CA-255209.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)**AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO (AFSCME), COUNCIL 962****4a. Address (street and number, city, state, and ZIP code)****1424 North Pennsylvania Street, Indianapolis, IN 46202****4b. Tel. No.****(317)495-8554****4c. Cell No.****4d. Fax No.****4e. e-Mail****richmond@afscme962.org****5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)****6. DECLARATION****I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.**

By: X

**Ron Richmond Political Director**

(signature of representative or person making charge)

Print Name and Title

Tel. No.**(317)495-8554****Office, if any, Cell No.****Fax No.****317-624-6609****Address: 1424 North Pennsylvania Street,
Indianapolis, IN 46202**Date: X **8/27/2020****e-Mail****richmond@afscme962.org****WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)****PRIVACY ACT STATEMENT**

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UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 9

AMERICAN MEDICAL RESPONSE –
NORTHERN KENTUCKY

and

AMERICAN FEDERATION OF STATE,
COUNTY AND MUNICIPAL EMPLOYEES,
AFL-CIO (AFSCME) COUNCIL 962

Cases 09-CA-255209
09-CA-255688
09-CA-256405

ORDER CONSOLIDATING CASES,
CONSOLIDATED COMPLAINT
AND
NOTICE OF HEARING

Pursuant to Section 102.33 of the Rules and Regulations of the National Labor Relations Board (the Board) and to avoid unnecessary costs or delay, IT IS ORDERED THAT Cases 09-CA-255209, 09-CA-255688, and 09-CA-256405, which are based on charges filed by American Federation of State, County and Municipal Employees, AFL-CIO (AFSCME) Council 962, (Union) against American Medical Response – Northern Kentucky, (Respondent), are consolidated.

This Order Consolidating Cases, Consolidated Complaint and Notice of Hearing, which is based on these charges, is issued pursuant to Section 10(b) of the Act of the National Labor Relations Act (the Act) 29 U.S.C. §151 et. seq., and Section 102.15 of the Board's Rules and Regulations, and alleges Respondent has violated the Act as described below.

1. (a) The charge in Case 09-CA-255209 was filed by the Union on January 27, 2020, and a copy was served on Respondent by U.S. mail on January 28, 2020.

(b) The first amended charge in Case 09-CA-255209 was filed by the Union on August 27, 2020, and a copy was served on Respondent by U.S. mail on August 28, 2020.

(c) The charge in Case 09-CA-255688 was filed by the Union on February 3, 2020, and a copy was served on Respondent by U.S. mail on February 4, 2020.

(d) The first amended charge in Case 09-CA-255688 was filed by the Union on August 27, 2020 and a copy was served on Respondent by U.S. mail on August 28, 2020.

(e) The charge in Case 09-CA-256405 was filed by the Union on February 14, 2020, and a copy was served on Respondent by U.S. mail on February 18, 2020.

(f) The first amended charge in Case 09-CA-256405 was filed by the Union on August 27, 2020, and a copy was served on Respondent by U.S. mail on August 28, 2020.

2. (a) At all material times, Respondent has been a corporation with its main office and place of business in Erlanger, Kentucky, and a second facility in Williamstown, Kentucky (Respondent's facilities) and has been engaged in medical transportation.

(b) In conducting its operations during the 12-month period ending August 1, 2020, Respondent performed services valued in excess of \$50,000 in States other than the Commonwealth of Kentucky.

(c) At all material times, Respondent has been an employer engaged in commerce within the meaning of Section 2(2), (6) and (7) of the Act.

3. At all material times, the Union has been a labor organization within the meaning of Section 2(5) of the Act.

4. At all material times, the following individuals held the positions set forth opposite their respective names and have been supervisors of Respondent within the meaning of Section 2(11) of the Act and agents of Respondent within the meaning of Section 2(13) of the Act:

Gregory Rose	- Operations Manager
Beth Henson	- Road Supervisor
Mike Guffey	- Road Supervisor
Tammi Pincus	- Road Supervisor
Matt McMillan	- Road Supervisor
Stephanie Cooper	- HR Generalist
Sonseraye Byers	- Regional HR Representative
Rosa Perez	- National HR Representative

5. (a) About January 23, 2020, Respondent's employees Mollie Schaper and Anthony Morgan engaged in concerted activities with each other and with other employees for the purposes of mutual aid and protection, by discussing and looking up their wage increases upon their coworkers' request.

(b) About January 24, 2020, Respondent, by Beth Henson, suspended Mollie Schaper.

(c) About January 26, 2020, Respondent, by Mike Guffey, suspended Anthony Morgan.

(d) About February 7, 2020, Respondent, by Gregory Rose, issued Mollie Schaper two final written warnings.

(e) About February 6, 2020, Respondent, by Gregory Rose, issued Anthony Morgan a corrective action which constituted a suspension without pay and which was treated as a final written warning.

(f) Respondent engaged in the conduct described above in paragraphs 5(b) and (d) because Mollie Schaper engaged in the conduct described above in paragraph 5(a), and to discourage employees from engaging in these or other activities.

(g) Respondent engaged in the conduct described above in paragraph 5(d) because Mollie Schaper was named in a charge in Case 09-CA-255209.

(h) Respondent engaged in the conduct above in paragraphs 5(c) and (e) because Anthony Morgan engaged in the conduct described above in paragraph 5(a), and to discourage employees from engaging in these or other concerted activities.

6. (a) About January 23, 2020, Respondent, by Gregory Rose, in the main lobby area of Respondent's facility, instructed employees to cease engaging in protected concerted activity by stating that they could not discuss employee bonus information.

(b) About February 7, 2020, Respondent, by Gregory Rose, in Rose's office, threatened an employee by telling an employee that he/she was on a short leash.

(c) About February 7, 2020, Respondent, by Gregory Rose, in Rose's office, told employees, verbally and in writing, that they were being disciplined because they spoke to other employees about wages, hours, and working conditions.

7. (a) About January 16, 2020 and continuing to date, Respondent, by Gregory Rose, by installing a camera in the main lobby area of Respondent's facility, engaged in surveillance of employees to discover their union activities.

(b) About January 17, 2020, Respondent, by Gregory Rose, and by Respondent's installation of a camera in the main lobby area of Respondent's facility, created an impression among its employees that their union activities were under surveillance when it texted an employee who was talking to another employee and insinuated that it was time for him to go home.

8. (a) About January 3, 2020, Respondent discharged its employee Thomas Rackley.

(b) Respondent engaged in the conduct described above in paragraph 8(a) because Thomas Rackley assisted the Union and engaged in concerted activities, and to discourage employees from engaging in these activities.

9. By the conduct described above in paragraphs 5, 6, 7, and 8, Respondent has been interfering with, restraining, and coercing employees in the exercise of their rights guaranteed in Section 7 of the Act in violation of Section 8(a)(1) of the Act.

10. By the conduct described above in paragraphs 5(b), (c), (d), (e) and 8, Respondent has been discriminating in regard to the hire or tenure or terms and conditions of employment of its employees, thereby discouraging membership in a labor organization in violation of Section 8(a)(1) and (3) of the Act.

11. By the conduct described above in paragraphs 5(d) and (g), Respondent has been discriminating against employees for filing charges or giving testimony under the Act in violation of Section 8(a)(1) and (4) of the Act.

12. The unfair labor practices of Respondent described above affect commerce within the meaning of Section 2(6) and (7) of the Act.

ANSWER REQUIREMENT

Respondent is notified that, pursuant to Sections 102.20 and 102.21 of the Board's Rules and Regulations, it must file an answer to the consolidated complaint. The answer must be **received by this office on or before September 14, 2020.** Respondent also must serve a copy of the answer on each of the other parties.

The answer must be filed electronically through the Agency's website. To file electronically, go to www.nlrb.gov, click on **E-File Documents**, enter the NLRB Case Number, and follow the detailed instructions. Responsibility for the receipt and usability of the answer rests exclusively upon the sender. Unless notification on the Agency's website informs users that the Agency's E-Filing system is officially determined to be in technical failure because it is unable to receive documents for a continuous period of more than 2 hours after 12:00 noon

(Eastern Time) on the due date for filing, a failure to timely file the answer will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off-line or unavailable for some other reason. The Board's Rules and Regulations require that an answer be signed by counsel or non-attorney representative for represented parties or by the party if not represented. See Section 102.21. If the answer being filed electronically is a pdf document containing the required signature, no paper copies of the answer need to be transmitted to the Regional Office. However, if the electronic version of an answer to a complaint is not a pdf file containing the required signature, then the E-filing rules require that such answer containing the required signature continue to be submitted to the Regional Office by traditional means within three (3) business days after the date of electronic filing. Service of the answer on each of the other parties must still be accomplished by means allowed under the Board's Rules and Regulations. The answer may not be filed by facsimile transmission. If no answer is filed, or if an answer is filed untimely, the Board may find, pursuant to a Motion for Default Judgment, that the allegations in the consolidated complaint are true.

NOTICE OF HEARING

PLEASE TAKE NOTICE THAT commencing on **December 1, 2020, 9 a.m.**, in **Room 3-111, John Weld Peck Federal Building, 550 Main Street, Cincinnati, Ohio**, or in a manner (including via video conference technology) or at a location otherwise ordered by the Administrative Law Judge, and continuing thereafter until conclusion, a hearing will be conducted before an administrative law judge of the Board on the allegations in this consolidated complaint, at which time and place any party within the meaning of Section 102.8 of the Board's Rules and Regulations will have the right to appear and present testimony regarding the allegations in this consolidated complaint. The procedures to be followed at the hearing are

described in the attached Form NLRB-4668. The procedure to request a postponement of the hearing is described in the attached Form NLRB-4338.

Dated: August 31, 2020.

A handwritten signature in black ink, appearing to read "MT Denholm". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Matthew T. Denholm, Regional Director
Region 9, National Labor Relations Board
Room 3-111, John Weld Peck Federal Building
550 Main Street
Cincinnati, OH 45202-3271

Attachments

**UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
REGION 9**

**AMERICAN MEDICAL RESPONSE -
NORTHERN KENTUCKY**

and

**Cases 09-CA-255209
09-CA-255688
09-CA-256405**

**AMERICAN FEDERATION OF STATE,
COUNTY AND MUNICIPAL EMPLOYEES,
AFL-CIO (AFSCME) COUNCIL 962**

**ANSWER TO ORDER CONSOLIDATING CASES,
CONSOLIDATED COMPLAINT AND NOTICE OF HEARING**

American Medical Response – Northern Kentucky (“A.M.R.”), pursuant to Sections 102.20 and 102.21 of the Rules and Regulations of the National Labor Relations Board, respectfully submits this “Answer to Order Consolidating Cases, Consolidated Complaint and Notice of Hearing” (this “Answer”) in answer to the “Order Consolidating Cases, Consolidated Complaint and Notice of Hearing” (the “Complaint”) issued by the Honorable Matthew T. Denholm, Regional Director for Region 9 of the National Labor Relations Board (the “Board”), on August 31, 2020.

(1)(a) through (f) A.M.R. denies knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 1 (a) through and including Paragraph 1 (f) of the Complaint.

(2) (a) A.M.R. admits the allegations set forth in Paragraph 2 (a) of the Complaint except denies that the allegation regarding “. . . a second facility in Williamstown, Kentucky” is material to the Complaint.

(2) (b) A.M.R. admits the allegations set forth in Paragraph 2 (b) of the Complaint.

(2) (c) A.M.R. admits the allegation set forth in Paragraph 2 (c) of the Complaint.

(3) A.M.R. admits the allegations set forth in Paragraph 3 of the Complaint.

(4) A.M.R. admits the allegations set forth in Paragraph 4 of the Complaint, except as follows:

A.M.R. denies the allegation that all individuals identified in Paragraph 4 of the Complaint “. . . have been supervisors of Respondent within the meaning of Section 2 (11) of the Act . . . ”

A.M.R. avers that the correct classification for all individuals identified as a “Road Supervisor” in Paragraph 4 of the Complaint should be “Field Supervisor.”

A.M.R. denies that the allegations set forth in Paragraph 4 of the Complaint regarding “Tammy Pincus”, “Matt McMillan”, “Stephanie Cooper”, “Sonseraye Byers” and Rosa Perez” are not material to the Complaint.

(5) (a) A.M.R. denies the allegations set forth in Paragraph 5 (a) of the Complaint, except denies knowledge or information sufficient to form a belief as to the truth of the allegation regarding “. . . upon their coworkers’ request . . .” set forth in Paragraph 5 (a) of the Complaint.

(5) (b) A.M.R. admits the allegation set forth in Paragraph 5 (b) of the Complaint, except denies that the suspension of Mollie Shaper was “. . . by Beth Hanson.”

5 (c) A.M.R. admits the allegation set forth in Paragraph 5 (c) of the Complaint, except denies that the suspension of Anthony Morgan was “. . . by Mike Guffey.”

5 (d) A.M.R. admits the allegations set forth in Paragraph 5 (d) of the Complaint.

5 (e) A.M.R. admits the allegations set forth in Paragraph 5 (e) of the Complaint, except denies that the “. . . corrective action . . . constituted a suspension without pay and . . . was treated as a final written warning.”

5 (f) A.M.R. denies the allegations set forth in Paragraph 5 (f) of the Complaint.

5 (g) A.M.R. denies the allegations set forth in Paragraph 5 (g) of the Complaint.

5 (h) A.M.R. denies the allegations set forth in Paragraph 5 (h) of the Complaint.

(6) (a) A.M.R. denies the allegations set forth in Paragraph 6 (a) of the Complaint.

(6) (b) A.M.R. denies the allegations set forth in Paragraph 6 (b) of the Complaint.

(6) (c) A.M.R. denies the allegations set forth in Paragraph 6 (c) of the Complaint.

(7) (a) A.M.R. denies the allegations set forth in Paragraph 7 (a) of the Complaint.

(7) (b) A.M.R. denies the allegations set forth in Paragraph 7 (b) of the Complaint.

(8) (a) A.M.R. admits the allegations set forth in Paragraph 8 (a) of the Complaint, except avers that the employment of Thomas Rackley was terminated.

(8) (b) A.M.R. denies the allegations set forth in Paragraph 8 (b) of the Complaint.

(9) A.M.R. denies the allegations set forth in Paragraph 9 of the Complaint.

(10) A.M.R. denies the allegations set forth in Paragraph 10 of the Complaint.

(11) A.M.R. denies the allegations set forth in Paragraph 11 of the Complaint.

(12) A.M.R. denies the allegations set forth in Paragraph 12 of the Complaint.

WHEREFORE, A.M.R. respectfully requests that the Complaint be dismissed in its entirety.

Dated: Katonah, New York
September 11, 2020

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Don T. Carmody', is written over a horizontal line.

Carmody & Carmody, L.L.P.
By: Don T. Carmody, Esq.

Attorneys for American Medical Response – Northern
Kentucky
4 Honey Hollow Court
Katonah, New York 10536
(615) 519-7525
dcarmody@carmodyandcarmody.com

**UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
REGION 9**

**AMERICAN MEDICAL RESPONSE -
NORTHERN KENTUCKY**

and

**AMERICAN FEDERATION OF STATE,
COUNTY AND MUNICIPAL EMPLOYEES,
AFL-CIO (AFSCME) COUNCIL 962**

**Cases 09-CA-255209
09-CA-255688
09-CA-256405**

**CERTIFICATE OF SERVICE OF
ANSWER TO ORDER CONSOLIDATING CASES,
CONSOLIDATED COMPLAINT AND NOTICE OF HEARING**

The Undersigned, Don T. Carmody, Esq., being an Attorney duly admitted to the practice of law, does hereby certify, pursuant to 28 U.S.C. § 1746, that the Answer (the "Answer") of American Medical Response – Northern Kentucky ("A.M.R.") to the "Order Consolidating Cases, Consolidated Complaint and Notice of Hearing", dated August 31, 2020 (the "Complaint") was e-filed on Friday, September 11, 2020 with the following through the website of the National Labor Relations Board (www.nlrb.gov):

Matthew T. Denholm, Regional Director
National Labor Relations Board, Region 9
Room 3-111
John Weld Peck Federal Building
550 Main Street
Cincinnati, OH 45202-3271

The Undersigned does hereby further certify that, on September 11, 2020, a copy of the Answer was served upon the Charging Party by e-mail, as follows:

Norma Renee Kersting, Field Staff Coordinator
Kentucky
A.F.S.C.M.E., Council 962
4315 Preston Highway
Louisville, KY 40213
nkersting@afscme962.org

Ron Richmond, Political Director
A.F.S.C.M.E., Council 962
1424 North Pennsylvania Street
Indianapolis, IN 46202
richmond@afscme962.org

Dated: Katonah, New York
September 11, 2020

Respectfully submitted,

A handwritten signature in black ink, appearing to be "Don T. Carmody", is written over a horizontal line.

Carmody & Carmody, L.L.P.
By: Don T. Carmody, Esq.

Attorneys for American Medical Response – Northern
Kentucky

4 Honey Hollow Court

Katonah, New York 10536

(615) 519-7525

dcarmody@carmodyandcarmody.com

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 9

AMERICAN MEDICAL RESPONSE –
NORTHERN KENTUCKY

and

Cases 09-CA-255209
09-CA-255688
09-CA-256405

AMERICAN FEDERATION OF STATE,
COUNTY AND MUNICIPAL EMPLOYEES,
AFL-CIO (AFSCME) COUNCIL 962

AMENDMENT TO THE CONSOLIDATED COMPLAINT

An Order Consolidating Cases, Consolidated Complaint and Notice of Hearing having
issued August 31, 2020,

IT IS ORDERED, pursuant to Section 102.17 of the Board's Rules and Regulations,
Series 8, as amended, that the consolidated complaint is amended as follows:

1. Paragraph 5(f) is changed as follows:

Respondent engaged in the conduct described above in paragraphs 5(b) and (d) because
Mollie Schaper engaged in the conduct described in paragraph 5(a) and because she assisted the
Union and engaged in concerted activities, and to discourage employees from engaging in these
activities.

2. Paragraph 5(h) is changed as follows:

Respondent engaged in the conduct described above in paragraphs 5(c) and (e) because
Anthony Morgan engaged in the conduct described above in paragraph 5(a) and because he
assisted the Union and engaged in concerted activities, and to discourage employees from
engaging in these activities.

3. Paragraph 10 is changed as follows:

By the conduct described above in paragraphs 5(b), (c), (d), (e), (f), (h) and 8, Respondent has been discriminating in regard to the hire or tenure or terms and conditions of employment of its employees, thereby discouraging membership in a labor organization in violation of Section 8(a)(1) and (3) of the Act.

Dated: December 31, 2020

A handwritten signature in black ink, appearing to read "MT Denholm". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Matthew T. Denholm, Regional Director
Region 9, National Labor Relations Board
Room 3-111, John Weld Peck Federal Building
550 Main Street
Cincinnati, OH 45202-3271

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
REGION 9

AMERICAN MEDICAL RESPONSE – NORTHERN KENTUCKY	:	
	:	
	:	Case Nos.
	:	
and	:	09-CA-255209
	:	09-CA-255688
AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO (AFSCME) COUNCIL 962	:	09-CA-256405
	:	

ANSWER TO AMENDMENT TO THE CONSOLIDATED COMPLAINT

As the Respondent in the above-captioned cases, American Medical Response – Northern Kentucky (hereafter, the “Company”) hereby answers, by and through its Undersigned Counsel, the Amendment (hereafter, the “Amendment”) to the Consolidated Complaint (hereafter, the “Complaint”), which was issued on December 31, 2020, as follows:

- (1) The Company denies the allegations set forth by Paragraph 5(f) of the Complaint as modified by Paragraph (1) of the Amendment.
- (2) The Company denies the allegations set forth by Paragraph 5(h) of the Complaint as modified by Paragraph (2) of the Amendment.
- (3) The Company denies the allegations set forth by Paragraph (10) of the Complaint as modified by Paragraph (3) of the Amendment.

Dated: Glastonbury, Connecticut
January 7, 2021

Respectfully submitted,

/s/ _____

Bryan T. Carmody
Attorney for Respondent
134 Evergreen Lane
Glastonbury, Connecticut 06033
(203) 249-9287
bcarmody@carmodyandcarmody.com

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
REGION 9

AMERICAN MEDICAL RESPONSE – NORTHERN KENTUCKY	:	
	:	
	:	Case Nos.
	:	
and	:	09-CA-255209
	:	09-CA-255688
AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO (AFSCME) COUNCIL 962	:	09-CA-256405
	:	

CERTIFICATE OF SERVICE

The Undersigned, Bryan T. Carmody, being an Attorney duly admitted to the practice of law, does hereby certify, pursuant to 28 U.S.C. § 1746, that, on January 7, 2021, the Respondent’s Answer to Amendment to the Consolidated Complaint was served upon the following *via* email:

Theresa Donnelly Laite
Counsel for the General Counsel
National Labor Relations Board, Region 9
550 Main Street
Cincinnati, OH 45202
Theresa.Laite@nrlrb.gov

Ron Richmond
Political Director
AFSCME, Council 962
1424 Pennsylvania Street
Indianapolis, IN 46202
rrichmond@afscme962.org

Dated: Glastonbury, Connecticut

January 7, 2021

Respectfully submitted,

/s/ _____

Bryan T. Carmody
Attorney for Respondent
134 Evergreen Lane
Glastonbury, Connecticut 06033
(203) 249-9287
bcarmody@carmodyandcarmody.com

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
SETTLEMENT AGREEMENT
APPROVED BY AN ADMINISTRATIVE LAW JUDGE

**AMERICAN MEDICAL RESPONSE –
NORTHERN KENTUCKY**

and

**Cases 09-CA-255209
09-CA-255688
09-CA-256405**

**AMERICAN FEDERATION OF STATE,
COUNTY AND MUNICIPAL EMPLOYEES,
AFL-CIO (AFSCME) COUNCIL 962**

The undersigned Charged Party and the undersigned Charging Party, in settlement of the above matter, and subject to the approval of an Administrative Law Judge for the National Labor Relations Board, upon recommendation by Counsel for the General Counsel, **HEREBY AGREE TO SETTLE THE ABOVE MATTER AS FOLLOWS:**

POSTING OF NOTICE — Upon approval of this Agreement and receipt of the Notices from the Region, which may include Notices in more than one language as deemed appropriate by the Regional Director, the Charged Party will sign and date those Notices and immediately post them in prominent places around its Erlanger, KY facility, including all places where the Charged Party normally posts notices to employees. If the Charged Party's place of business is currently closed and a substantial number of employees are not reporting to the facility due to the Coronavirus pandemic or is operating with less than a substantial complement of employees, the 60 consecutive day period for posting will begin when the Charged Party's place of business reopens and a substantial complement of employees have returned to work. For purposes of this notice posting, a substantial complement of employees is at least 50% of the total number of employees employed by the Charged Party prior to closing its business due to the Coronavirus pandemic. The Charged Party will keep all Notices posted for 60 consecutive days after the initial posting.

E-MAILING NOTICE - The Charged Party will email a copy of the signed Notice in English and in additional languages if the Regional Director decides that it is appropriate to do so, to all employees who work at the facility located at 30 Kenton Lands Rd., Erlanger, KY 41018. The message of the e-mail transmitted with the Notice will state: "We are distributing the Attached Notice to Employees to you pursuant to a Settlement Agreement approved by an Administrative Law Judge of the National Labor Relations Board in Cases 09-CA-255209, 09-CA-255688, and 09-CA-256405." If the Charged Party's place of business is currently closed due to the Coronavirus pandemic, the Charged Party will email the copy of the Notice to its employees when the Charged Party's place of business reopens. The Charged Party will forward a copy of that e-mail, with all of the recipients' e-mail addresses, to the Centralized Compliance Unit at complianceunit@nlrb.gov.

COMPLIANCE WITH NOTICE — The Charged Party will comply with all the terms and provisions of said Notice.

PAYMENT OF WAGES AND BENEFITS — Within 14 days from approval of this agreement, the Charged Party will make whole the employees named below by payment to him/her in the amount opposite each name. The Charged Party will make appropriate withholdings for each named employee. No withholdings should be made from the interest, excess tax liability, or expense portions of the wages and benefits. The Charged Party, for each employee named below, will provide the Regional Director with a Backpay report allocating the payment(s) to the appropriate calendar year and a copy of the IRS form W-2 for wages earned in the current calendar year no sooner than December 31st of the current year and no later than January 30th of the following year. If the Centralized Compliance Unit, on behalf of the Regional Director, is unable to locate the individuals entitled to make-whole relief

within one year of receipt of payment, the Regional Director will have sole discretion to redistribute the amounts owed, provided no individual receives more than 100% of the wages or other remedial monies they are owed. The Charged Party agrees to prepare, process, and, if applicable, mail any redistribution payments, at its own cost, pursuant to the direction of the Regional Director.

<u>Name</u>	<u>Front pay</u>	<u>Backpay</u>	<u>Interest</u>	<u>Excess Tax Liability</u>	<u>Expenses</u>	<u>Total</u>
Thomas Rackley	\$5,172	\$35,218	\$970	\$199	\$13,441	\$55,000
Mollie Schaper		\$1,699	\$70	\$12	\$0	\$1,781
Anthony Morgan		\$1,931	\$79	\$14	\$0	\$2,024

SCOPE OF THE AGREEMENT — This Agreement settles only the allegations in the above-captioned case(s), and does not settle any other case(s) or matters. It does not prevent persons from filing charges, the General Counsel from prosecuting complaints, or the Board and the courts from finding violations with respect to matters that happened before this Agreement was approved regardless of whether General Counsel knew of those matters or could have easily found them out. The General Counsel reserves the right to use the evidence obtained in the investigation and prosecution of the above-captioned case(s) for any relevant purpose in the litigation of this or any other case(s), and a judge, the Board and the courts may make findings of fact and/or conclusions of law with respect to that evidence.

NON-ADMISSION — By entering into this Settlement Agreement, the Charged Party does not admit that it violated the National Labor Relations Act.

PARTIES TO THE AGREEMENT — If the Charging Party fails or refuses to become a party to this Agreement and the Administrative Law Judge determines that it will promote the policies of the National Labor Relations Act, the Administrative Law Judge, after providing such party an opportunity to state on the record or in writing its reasons for opposing the Agreement, may approve the Agreement. Any party aggrieved by the ruling of the Administrative Law Judge approving the Agreement may ask for leave to appeal to the Board as provided in Section 102.26 of the Board's Rules and Regulations.

AUTHORIZATION TO PROVIDE COMPLIANCE INFORMATION AND NOTICES DIRECTLY TO CHARGED PARTY — Counsel for the Charged Party authorizes the Regional Office to forward the cover letter describing the general expectations and instructions to achieve compliance, a conformed settlement, original notices and a certification of posting directly to the Charged Party. If such authorization is granted, Counsel will be simultaneously served with a courtesy copy of these documents.

Yes /s/ BTC
 Initials

No
 Initials

PERFORMANCE — Performance by the Charged Party with the terms and provisions of this Agreement shall commence immediately after the Agreement is approved by the Administrative Law Judge, or if the Charging Party does not enter into this Agreement, performance shall commence immediately upon receipt by the Charged Party of notice that no review has been requested or that the General Counsel has sustained the Regional Director. The Charged Party agrees that in case of non-compliance with the provisions of this Settlement Agreement that require it to post and email the Notice, remove the camera it installed at its facility in January 2020, pay Thomas Rackley for the wages and other benefits he lost because the Charged Party discharged him, remove from its files all references to the discharge of Thomas Rackley and notify him in writing that this has been done and that the discharge will not be used against him in any way, pay Mollie Schaper and Anthony Morgan for the wages and other benefits they lost because the Charged Party suspended them, remove from its files all references to the suspensions, disciplines, and all final written warnings of Mollie Schaper and Anthony Morgan, and notify them in writing that this has been done and that discipline will not be used against them in any way, and after 14 days' notice from the Regional Director of the National Labor Relations Board of such non-compliance without remedy by the Charged Party, the Regional Director will

reissue the consolidated complaint previously issued on August 31, 2020, as amended on December 31, 2020, in the instant case(s).

NOTIFICATION OF COMPLIANCE — Each party to this Agreement will notify the Regional Director in writing what steps the Charged Party has taken to comply with the Agreement. This notification shall be given within 5 days, and again after 60 days, from the date of the approval of this Agreement. If the Charging Party does not enter into this Agreement, initial notice shall be given within 5 days after notification from the Regional Director that the Charging Party did not request Board review or that the Board sustained the Administrative Law Judge's approval of this agreement. No further action shall be taken in the above captioned case(s) provided that the Charged Party complies with the terms and conditions of this Settlement Agreement and Notice.

Charged Party Rural/Metro of Southern Ohio, Inc. d/b/a American Medical Response - Northern Kentucky	Charging Party AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO (AFSCME) Council 962
By: Name and Title Date	By: Name and Title Date
/s/ Gregory K. Rose, Operations Manager 3/1/21 Print Name and Title below	/s/ Ron Richmond 3/1/21 Print Name and Title below
/s/ Gregory K. Rose, Operations Manager	/s/ Ron Richmond, Chief of Staff AFSME Council 962
Recommended By: Date	Approved By: Date
/s/ Theresa Laite 3/1/2021 Theresa Laite Field Attorney, Region 9 National Labor Relations Board	/s/ Robert A. Ringler 3/1/21 Robert A. Ringler, Administrative Law Judge National Labor Relations Board

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
SETTLEMENT AGREEMENT
APPROVED BY AN ADMINISTRATIVE LAW JUDGE

**AMERICAN MEDICAL RESPONSE –
NORTHERN KENTUCKY**

and

**Cases 09-CA-255209
09-CA-255688
09-CA-256405**

**AMERICAN FEDERATION OF STATE,
COUNTY AND MUNICIPAL EMPLOYEES,
AFL-CIO (AFSCME) COUNCIL 962**

The undersigned Charged Party and the undersigned Charging Party, in settlement of the above matter, and subject to the approval of an Administrative Law Judge for the National Labor Relations Board, upon recommendation by Counsel for the General Counsel, **HEREBY AGREE TO SETTLE THE ABOVE MATTER AS FOLLOWS:**

POSTING OF NOTICE — Upon approval of this Agreement and receipt of the Notices from the Region, which may include Notices in more than one language as deemed appropriate by the Regional Director, the Charged Party will sign and date those Notices and immediately post them in prominent places around its Erlanger, KY facility, including all places where the Charged Party normally posts notices to employees. If the Charged Party's place of business is currently closed and a substantial number of employees are not reporting to the facility due to the Coronavirus pandemic or is operating with less than a substantial complement of employees, the 60 consecutive day period for posting will begin when the Charged Party's place of business reopens and a substantial complement of employees have returned to work. For purposes of this notice posting, a substantial complement of employees is at least 50% of the total number of employees employed by the Charged Party prior to closing its business due to the Coronavirus pandemic. The Charged Party will keep all Notices posted for 60 consecutive days after the initial posting.

E-MAILING NOTICE - The Charged Party will email a copy of the signed Notice in English and in additional languages if the Regional Director decides that it is appropriate to do so, to all employees who work at the facility located at 30 Kenton Lands Rd., Erlanger, KY 41018. The message of the e-mail transmitted with the Notice will state: "We are distributing the Attached Notice to Employees to you pursuant to a Settlement Agreement approved by an Administrative Law Judge of the National Labor Relations Board in Cases 09-CA-255209, 09-CA-255688, and 09-CA-256405." If the Charged Party's place of business is currently closed due to the Coronavirus pandemic, the Charged Party will email the copy of the Notice to its employees when the Charged Party's place of business reopens. The Charged Party will forward a copy of that e-mail, with all of the recipients' e-mail addresses, to the Centralized Compliance Unit at complianceunit@nlrb.gov.

COMPLIANCE WITH NOTICE — The Charged Party will comply with all the terms and provisions of said Notice.

PAYMENT OF WAGES AND BENEFITS — Within 14 days from approval of this agreement, the Charged Party will make whole the employees named below by payment to him/her in the amount opposite each name. The Charged Party will make appropriate withholdings for each named employee. No withholdings should be made from the interest, excess tax liability, or expense portions of the wages and benefits. The Charged Party, for each employee named below, will provide the Regional Director with a Backpay report allocating the payment(s) to the appropriate calendar year and a copy of the IRS form W-2 for wages earned in the current calendar year no sooner than December 31st of the current year and no later than January 30th of the following year. If the Centralized Compliance Unit, on behalf of the Regional Director, is unable to locate the individuals entitled to make-whole relief

within one year of receipt of payment, the Regional Director will have sole discretion to redistribute the amounts owed, provided no individual receives more than 100% of the wages or other remedial monies they are owed. The Charged Party agrees to prepare, process, and, if applicable, mail any redistribution payments, at its own cost, pursuant to the direction of the Regional Director.

<u>Name</u>	<u>Front pay</u>	<u>Backpay</u>	<u>Interest</u>	<u>Excess Tax Liability</u>	<u>Expenses</u>	<u>Total</u>
Thomas Rackley	\$5,172	\$35,218	\$970	\$199	\$13,441	\$55,000
Mollie Schaper		\$1,699	\$70	\$12	\$0	\$1,781
Anthony Morgan		\$1,931	\$79	\$14	\$0	\$2,024

SCOPE OF THE AGREEMENT — This Agreement settles only the allegations in the above-captioned case(s), and does not settle any other case(s) or matters. It does not prevent persons from filing charges, the General Counsel from prosecuting complaints, or the Board and the courts from finding violations with respect to matters that happened before this Agreement was approved regardless of whether General Counsel knew of those matters or could have easily found them out. The General Counsel reserves the right to use the evidence obtained in the investigation and prosecution of the above-captioned case(s) for any relevant purpose in the litigation of this or any other case(s), and a judge, the Board and the courts may make findings of fact and/or conclusions of law with respect to that evidence.

NON-ADMISSION — By entering into this Settlement Agreement, the Charged Party does not admit that it violated the National Labor Relations Act.

PARTIES TO THE AGREEMENT — If the Charging Party fails or refuses to become a party to this Agreement and the Administrative Law Judge determines that it will promote the policies of the National Labor Relations Act, the Administrative Law Judge, after providing such party an opportunity to state on the record or in writing its reasons for opposing the Agreement, may approve the Agreement. Any party aggrieved by the ruling of the Administrative Law Judge approving the Agreement may ask for leave to appeal to the Board as provided in Section 102.26 of the Board's Rules and Regulations.

AUTHORIZATION TO PROVIDE COMPLIANCE INFORMATION AND NOTICES DIRECTLY TO CHARGED PARTY — Counsel for the Charged Party authorizes the Regional Office to forward the cover letter describing the general expectations and instructions to achieve compliance, a conformed settlement, original notices and a certification of posting directly to the Charged Party. If such authorization is granted, Counsel will be simultaneously served with a courtesy copy of these documents.

Yes /s/ BTC
 Initials

No
 Initials

PERFORMANCE — Performance by the Charged Party with the terms and provisions of this Agreement shall commence immediately after the Agreement is approved by the Administrative Law Judge, or if the Charging Party does not enter into this Agreement, performance shall commence immediately upon receipt by the Charged Party of notice that no review has been requested or that the General Counsel has sustained the Regional Director. The Charged Party agrees that in case of non-compliance with the provisions of this Settlement Agreement that require it to post and email the Notice, remove the camera it installed at its facility in January 2020, pay Thomas Rackley for the wages and other benefits he lost because the Charged Party discharged him, remove from its files all references to the discharge of Thomas Rackley and notify him in writing that this has been done and that the discharge will not be used against him in any way, pay Mollie Schaper and Anthony Morgan for the wages and other benefits they lost because the Charged Party suspended them, remove from its files all references to the suspensions, disciplines, and all final written warnings of Mollie Schaper and Anthony Morgan, and notify them in writing that this has been done and that discipline will not be used against them in any way, and after 14 days' notice from the Regional Director of the National Labor Relations Board of such non-compliance without remedy by the Charged Party, the Regional Director will

reissue the consolidated complaint previously issued on August 31, 2020, as amended on December 31, 2020, in the instant case(s).

NOTIFICATION OF COMPLIANCE — Each party to this Agreement will notify the Regional Director in writing what steps the Charged Party has taken to comply with the Agreement. This notification shall be given within 5 days, and again after 60 days, from the date of the approval of this Agreement. If the Charging Party does not enter into this Agreement, initial notice shall be given within 5 days after notification from the Regional Director that the Charging Party did not request Board review or that the Board sustained the Administrative Law Judge's approval of this agreement. No further action shall be taken in the above captioned case(s) provided that the Charged Party complies with the terms and conditions of this Settlement Agreement and Notice.

Charged Party Rural/Metro of Southern Ohio, Inc. d/b/a American Medical Response - Northern Kentucky	Charging Party AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO (AFSCME) Council 962
By: Name and Title Date	By: Name and Title Date
/s/ Gregory K. Rose, Operations Manager 3/1/21 Print Name and Title below	/s/ Ron Richmond 3/1/21 Print Name and Title below
/s/ Gregory K. Rose, Operations Manager	/s/ Ron Richmond, Chief of Staff AFSME Council 962
Recommended By: Date	Approved By: Date
/s/ Theresa Laite 3/1/2021 Theresa Laite Field Attorney, Region 9 National Labor Relations Board	/s/ Robert A. Ringler 3/1/21 Robert A. Ringler, Administrative Law Judge National Labor Relations Board



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 9
550 MAIN ST
RM 3-111
CINCINNATI, OH 45202-3271

Agency Website: www.nlrb.gov
Telephone: (513)684-3686
Fax: (513)684-3946

August 30, 2021

(Sent Electronic Mail)

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Re: AMERICAN MEDICAL RESPONSE - NORTHERN
KENTUCKY
Cases 09-CA-255209, 09-CA-255688, 09-CA-256405

Dear Ms. Kaseta, Mr. Carmody, Mr. Carmody:

The above-captioned cases have been closed on compliance. Please note that the closing of these cases is conditioned upon continued the Employer's continued observance of the informal Settlement Agreement, specifically, the Employer providing the Region with a copy of Mr. Morgan's Report on Backpay and 2021 IRS – W-2 forms by no later than January 31, 2022.

Thank you for your attention and cooperation in this matter.

Very truly yours,

/s/ Miguel Rodriguez

Miguel Rodriguez
Deputy to the Assistant General Counsel

(cc's listed on page 2)

cc: Mr. Greg Rose
Operations Manager
American Medical Response - Northern Kentucky
30 Kenton Lands Road
Erlanger, KY 41018

Mr. Ron Richmond
Political Director
AFSCME Local 2077
1424 North Pennsylvania Street
Indianapolis, IN 46202